

A M E N D E D

NO. 71714

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 21 2004

Returned to applicant for correction OCT 13 2004

Corrected application filed NOV 05 2004

Map filed NOV 16 2004

The applicant **S V Development LTD., LLC & F.M. Fulstone Inc.**, hereby makes application for permission to change the **Point of Diversion and Place of Use** of a portion of water heretofore appropriated under **Permit #65470 (of a portion)**

1. The source of water is **Underground**
2. The amount of water to be changed **4 acre feet X 19.597 = 78.388 a.f.a.**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **A point in the SE¼ of the SW¼ of Section 9, T.10N., R.24E., M.D.B.&M. from which the SE corner of the said Section 9 bears S. 86° 14' 00" E. 3,884.00 feet**
6. The existing permitted point of diversion is located within **The SE¼ of the SW¼ of Section 5, T.9N., R.24E., M.D.B.&M., from which the SW corner of said Section 5 bears S. 87° 27' 53" W. 1358.37 feet.**
7. Proposed place of use **19.597 acres in a portion of the SE¼ of the SE¼ of Section 9, T.10N., R.24E., M.D.B.&M.**
8. Existing place of use **E½ of the SW¼, Portions of the SE¼ of the NW¼, and portions of the NE¼ of the NW¼, Section 5, T.9N., R.24E., M.D.B.&M.**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Well, Pump, Motor & Distribution system**
12. Estimated cost of works **\$5,000.00**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**

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15. Remarks:

By Corey L. Rice
s/ Corey L. Rice
P.O. Box 135
Smith, NV 89430

Compared gkl/sc lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 65470 is issued subject to the terms and conditions imposed in said Permit 65470 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

Portions of the proposed place of use have water from Permit 25374, Certificate 8673, appurtenant and, as such, become supplemental to one another but are limited to 4.0 acre-feet per acre.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1083 cubic feet per second, or 78.388 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

January 27, 2007

Proof of completion of work shall be filed on or before:

February 27, 2007

Water must be placed to beneficial use on or before:

January 27, 2009

Proof of the application of water to beneficial use shall be filed on or before:

February 27, 2009

Map in support of proof of beneficial use shall be filed on or before:

February 27, 2009

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of January A.D. 2006


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____